

HOUSE BILL No. 1064

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-5-8.

Synopsis: Alcoholic beverages at racetracks. Permits a facility that operates a paved track that is used primarily in the sport of auto racing to allow a person to enter its establishment with alcoholic beverages. (Under current law, a person is only permitted to enter with alcoholic beverages if the paved track is more than two miles in length.

Effective: July 1, 2001.

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January 8, 2001, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.

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Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1064

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 7.1-5-8-4, AS AMENDED BY P.L.136-2000,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2001]: Sec. 4. (a) It is unlawful for a person who owns or
4 operates a private or public restaurant or place of public or private
5 entertainment to permit another person to come into the establishment
6 with an alcoholic beverage for sale or gift, or for consumption in the
7 establishment by that person or another, or to serve a setup to a person
8 who comes into the establishment. However, the provisions of this
9 section shall not apply to the following:

10 (1) A private room hired by a guest of a bona fide club or hotel
11 that holds a retail permit.

12 (2) A facility that is used in connection with the operation of a
13 paved track ~~of more than two (2) miles in length~~ that is used
14 primarily in the sport of auto racing.

15 (b) An establishment operated in violation of this section is declared
16 to be a public nuisance and subject to abatement as other public
17 nuisances are abated under the provisions of this title.

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1 SECTION 2. IC 7.1-5-8-5, AS AMENDED BY P.L.136-2000,
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2001]: Sec. 5. (a) This section does not apply to a person who,
4 on or about a licensed premises, carries, conveys, or consumes beer or
5 wine:

6 (1) described in IC 7.1-1-2-3(a)(4); and

7 (2) not sold or offered for sale.

8 (b) This section does not apply to a person at a facility that is used
9 in connection with the operation of a paved track ~~more than two (2)~~
10 ~~miles in length~~ that is used primarily in the sport of auto racing.

11 (c) It is a Class C misdemeanor for a person, for the person's own
12 use, to knowingly carry on, convey to, or consume on or about the
13 licensed premises of a permittee, an alcoholic beverage that was not
14 then and there purchased from that permittee.

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